

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY  
R.J. Hughes Justice Complex  
P.O. Box 112  
Trenton, New Jersey 08625  
Attorney for Defendants

By: Stuart M. Feinblatt  
Assistant Attorney General  
(609) 376-3202  
Stuart.Feinblatt@law.njoag.gov

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**AMERICAN CIVIL LIBERTIES  
UNION OF NEW JERSEY**, a New  
Jersey nonprofit corporation, and  
**AMERICAN CIVIL LIBERTIES  
UNION, INC.**, a District of Columbia  
nonprofit corporation,

Plaintiffs,

v.

**GURBIR S. GREWAL**, in his official  
capacity as Attorney General of New  
Jersey, **ERIC H. JASO**, in his official  
capacity as Chairperson of the New  
Jersey Election Law Enforcement  
Commission, **STEPHEN M.  
HOLDEN**, in his official capacity as  
Commissioner of the New Jersey  
Election Law Enforcement  
Commission, and **MARGUERITE T.  
SIMON**, in her official capacity as  
Commissioner of the New Jersey

Civil Action No. 19-cv-17807

**CONSENT ORDER**

Election Law Enforcement  
Commission,

Defendants.

THIS MATTER having been brought before the Court by agreement of Jeanne LoCicero, Esq., counsel for Plaintiffs American Civil Liberties Union of New Jersey and American Civil Liberties Union, Inc. (together, “ACLU Plaintiffs”), and Gurbir S. Grewal, Attorney General of New Jersey, by Stuart M. Feinblatt, Assistant Attorney General, counsel for Defendants Gurbir S. Grewal, in his official capacity as Attorney General of New Jersey, Eric H. Jaso, in his official capacity as Chairperson of the New Jersey Election Law Enforcement Commission (“ELEC”), and Stephen M. Holden and Marguerite T. Simon, in their official capacity as Commissioners of ELEC (together, “Defendants”); and it appearing by the signatures affixed below that the parties agree; and for good cause shown; and

WHEREAS on June 25, 2019, Americans for Prosperity (“AFP”) filed a Complaint and Motion for Preliminary Injunction against Defendants, challenging the constitutionality of the P.L. 2019, c. 124 (“the Act”) on its face and as applied, including on the grounds that the Act is overly broad in its description of the independent expenditure committees subject to its requirements; and

WHEREAS on September 10, 2019, the ACLU Plaintiffs filed a Complaint against the same Defendants in the United States District Court, District of New Jersey, Docket No. 3:19-cv-17807-BRM-LHG, raising similar challenges to the Act as those raised by AFP, but also specifically challenging the Act’s provisions relating to the leadership and management of independent expenditure committees; and

WHEREAS on September 12, 2019, Illinois Opportunity Project (“IOP”) filed a Complaint and Motion for Preliminary Injunction against Defendants Jaso, Holden, and Simon in the United States District Court, District of New Jersey, Docket No. 3:19-cv-17912-BRM-LHG, raising similar challenges to the Act as those raised by AFP, but also specifically challenging the Act’s provisions relating to sponsor registration, disclosure and disclaimer requirements for independent expenditure committees; and

WHEREAS the AFP, ACLU Plaintiffs, and IOP cases have been designated as related; and

WHEREAS on October 2, 2019, the Court issued an Opinion and Order granting AFP's Motion for Preliminary Injunction; and

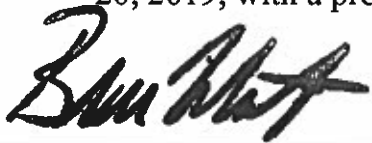
WHEREAS on October 23, 2019, the Court entered a Consent Order preliminary enjoining the Act insofar as it imposes any legal requirement on any independent expenditure committee, including the ACLU Plaintiffs and their employees or agents; and

WHEREAS to avoid unnecessary litigation and expense, the parties hereto have agreed to allow Defendants approximately fifty days, through and including December 20, 2019, to evaluate their legal position in this matter;

THEREFORE, IT IS on this *8th* day of *November* 2019,

**ORDERED** that:

1. All deadlines in this matter are held in abeyance pending further order of the Court; and
2. Defendants shall submit a status report to the Court, on or before December 20, 2019, with a proposed schedule on how this matter should proceed.



HON. BRIAN R. MARTINOTTI  
UNITED STATES DISTRICT JUDGE

We hereby consent to the form, content, and entry of this Order.

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Stuart M. Feinblatt  
Stuart M. Feinblatt  
Assistant Attorney General  
Attorney for Defendants

DATED: 11/7/2019

By: /s/ Jeanne LoCicero  
Jeanne LoCicero, Esq.  
Attorneys for Plaintiffs  
American Civil Liberties Union  
Of New Jersey and American Civil  
Liberties Union, Inc.

DATED: 11/7/2019